



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/523,639	03/10/2000	Soumen Chakrabarti	AM9-98-128	5100

7590 03/23/2004

John L Rogitz
Rogitz & Associates
750 B Street Suite 3120
San Diego, CA 92101

EXAMINER

NGUYEN, CHAU T

ART UNIT	PAPER NUMBER
----------	--------------

2176

9

DATE MAILED: 03/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/523,639

Applicant(s)

CHAKRABARTI ET AL.

Examiner

Chau Nguyen

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2176

DETAILED ACTION

1. Amendment A, filed on 01/06/2004, has been entered. Claims 1-7 and 9-16 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-7, 9-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (Lee), US Patent No. 5,937,163, and further in view of Bezos et al. (Bezos), US Patent No. 6,029,141.

4. As to claims 1, 7, 13, and 15-16, Lee discloses a computer system, comprising:

at least one user computer (Abstract, col. 8, line 58 – col. 9, line 8 and Fig.

5: host computer);

Art Unit: 2176

a data input device associated with the user computer (Fig. 5: manual input device 56);

a Web server communicating with the user computer (Abstract, and col. 6, lines 43-54);

user logic means at the user computer for accessing the table of inlinks to facilitate generating a list of sibling links based on the table, each sibling link being an outlink of one of the inlinks in the table, for accessing the sibling links (col. 14, line 9-52: table of contents (table of inlinks) contains a hierarchical history of all of the URLs and HTML links entries executed or retrieved, and the display monitor 55 shows the URLs and HTML links of the next level of the hierarchy below the particular entry (sibling links).

However, Lee does not disclose server logic means at the Web server for generating a table of inlinks to at least on Web page associated with the Web server.

In the same field of endeavor, Bezos discloses web server 116 of the associate web site 100 includes product-specific hyperlinks, referred to herein as "referral links" (table of inlinks) and each referral link is provided within the catalog document in association with referral information that is transmitted to a merchant's web site when a user (customer) clicks on the referral link (Abstract, col. 1, line 62 – col. 2, line 38 and Fig. 1). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lee and Bezos to include server logic means at the Web server for generating a table of inlinks to at least on Web page associated with the Web

Art Unit: 2176

server. Bezos suggests that referral links would allow potential customers to link to the merchant's web site to initiate purchases of such products from the merchant.

5. As to claims 2 and 9, Lee and Bezos disclose wherein the user logic means includes means for downloading the table from the Web server to the user computer (Bezos, col. 6, line 59 – col. 7, line 40), each inlink on the table being a hyperlink to a respective Web site, such that a person operating the user computer can select one of the inlinks to invoke the Web site associated with the selected inlink (Bezos, Abstract, col. 1, line 62 – col. 2, line 38). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lee and Bezos to include each inlink on the table being a hyperlink to a respective Web site, such that a person operating the user computer can select one of the inlinks to invoke the Web site associated with the selected inlink. Bezos suggests that referral links would allow potential customers to link to the merchant's web site to initiate purchases of such products from the merchant.

6. As to claims 3, 10, and 14, Lee and Bezos disclose wherein the user logic means includes: means for downloading the table from the Web server to the user computer (Bezos, col. 6, line 59 – col. 7, line 40); and means for automatically accessing the inlinks to search the inlinks for predetermined information (Bezos, Abstract, col. 1, line 62 – col. 2, line 38 and col. 6, line 59 –

Art Unit: 2176

col. 7, line 40). Since Lee discloses displaying one table entry for each URL and HTML link retrieved with the home page of the server corresponding to the executed URL immediately below the entry for the URL (col. 9, lines 31-58), which is similar to accessing catalog documents (in the form of HTML or web documents) including hyperlinks for allowing consumers to select interesting products or links of Bezos' system (col. 6, line 59 – col. 7, line 20), thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lee and Bezos to include means for downloading the table from the web server to the user computer and means for accessing the inlinks to search the inlinks for predetermined information. Bezos suggests that referral links would allow potential customers to link to the merchant's web site to initiate purchases of such products from the merchant.

7. As to claim 4, Lee and Bezos disclose a data storage device for storing at least portions of the table (Bezos, col. 6, line 59 – col. 7, line 20: a local store of catalog documents 120 (data storage device)). Moreover, Bezos teaches web server accesses a local store of catalog documents (portions of the table) which can be requested, retrieved and viewed by the customer via the Web browser. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lee and Bezos to include a data storage device for storing at least portions of the table.

Art Unit: 2176

8. As to claims 5 and 11, Lee and Bezos disclose means at the Web server for pruning inlinks in the table in response to at least one preselected criterium (Lee, col. 18, line 21 – col. 19, line 24).

9. As to claims 6 and 12, Lee and Bezos disclose wherein the preselected criterium is based at least in part on a number of selections of each inlink (Lee, col. 18, line 21 – col. 19, line 24).

Response to Arguments

In the remarks, Applicant argued in substance that

(A) The disqualified Mullen-Schultz reference is mentioned in paragraph 4.

As to point (A), the ground of the rejection in the paragraph 3 does not include the Mullen-Schultz reference. The Mullen-Schultz reference appeared in paragraph 4 was a typo error. Examiner already made the correction.

(B) There is teaching or suggestion that the links are inlinks.

As to point (B), Applicant describes in the specification, page 3, lines 18-20: “a particularly “good” page on a certain topic might be referred to by a large number of other pages, and thus the number of referrals (referred to as “inlinks”) to a Web page is an indication of its effectiveness”; and page 5, lines 4-6: “Each

Art Unit: 2176

inlink on the table is a hyperlink to a respective Web site, such that a person operating the user computer can select one of the inlinks to download the Web site associated with the selected link". Bezos discloses web server 116 of the associate web site 100 includes product-specific hyperlinks, referred to herein as "referral links" (table of inlinks) and each referral link is provided within the catalog document in association with referral information that is transmitted to a merchant's web site when a user (customer) clicks on the referral link (Abstract, col. 1, line 62 – col. 2, line 38 and Fig. 1).

(C) Prior does not teach generating a list or table of sibling links based on the table, each sibling link being an outlink of one of the inlinks in the table.

As to point (C), Applicant describes in the specification, page 5, lines 1-2: "each sibling link is an outlink of one of the inlinks in the table, and the sibling links can be searched for information that is relevant to the Web page associated with the inlink table". Lee discloses in col. 14, line 9-52: table of contents (table of inlinks) contains a hierarchical history of all of the URLs and HTML links entries executed or retrieved, and the display monitor 55 shows the URLs and HTML links of the next level of the hierarchy below the particular entry (sibling links).

(D) The suggestion to combine references, being based on an incorrect premise, renders the prima facie invalid.

Art Unit: 2176

As to point (D), since Lee discloses displaying one table entry for each URL and HTML link retrieved with the home page of the server corresponding to the executed URL immediately below the entry for the URL (col. 9, lines 31-58), which is similar to accessing catalog documents (in the form of HTML or web documents) including hyperlinks for allowing consumers to select interesting products or links of Bezos' system (col. 6, line 59 – col. 7, line 20), thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lee and Bezos to include server logic means at the Web server for generating a table of inlinks to at least on Web page associated with the Web server. Bezos suggests that referral links would allow potential customers to link to the merchant's web site to initiate purchases of such products from the merchant. Therefore, the suggestion to combine references, being based on a correct premise, renders the prima facie valid.

10. Applicant's arguments filed 1/06 have been fully considered but they are not persuasive. Please see the rejection and response to arguments above.

Art Unit: 2176

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau Nguyen whose telephone number is (703) 305-4639. The examiner can normally be reached at 8:00 am – 5:00 pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (703) 305-9792. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3230.

Art Unit: 2176

Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks

Washington, D.C. 20131

Or Faxed to:

(703) 872-9306, (for **formal communications**; please mark
"EXPEDITE PROCEDURE").

Or:

(703) 746-7240 (for **informal or draft communications**, please
label


"PROPOSED" or "DRAFT").

Or:

(703) 872-9306 (for **After Final Communications**).

Hand-delivered responses should be brought to Crystal Park II, 2121
Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Chau Nguyen
Patent Examiner
Art Unit 2176


SANJIV SHAH
PRIMARY EXAMINER